

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**DENVER FENTON ALLEN,**

**Petitioner,**

**VS.**

**Warden JOE WILLIAMS,**

**Respondent.**

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**NO. 5:25-cv-216-TES-CHW**

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**ORDER**

Petitioner Denver Fenton Allen, a prisoner in the Special Management Unit at the Georgia Diagnostic and Classification Prison in Jackson, Georgia, filed a 28 U.S.C. § 2241 petition. ECF No. 1. Petitioner indicated he is a convicted prisoner, a pretrial detainee, and an immigration detainee. *Id.* at 1, 3. On June 4, 2025, the Court ordered Petitioner to either pay the \$5.00 filing fee or move to proceed *in forma pauperis* and to clarify whether he wished to challenge his 2017 conviction for murder in the Superior Court of Floyd County or any murder charges currently pending against him in the Superior Court of Lowndes County. ECF No. 3. Petitioner did not respond to the June 4, 2025 Order.

The Court, therefore, on July 11, 2025, ordered Petitioner to show cause why his action should not be dismissed for failure to comply with the June 4 Order. ECF No. 5. Petitioner was given fourteen days to respond to the Order to Show Cause, but he failed to do so.

Due to Petitioner's failure to follow the Court's Orders and prosecute this action,

the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (first citing Fed. R. Civ. P. 41(b); and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) (“The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.”).

**SO ORDERED**, this 6th day of August, 2025.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE  
UNITED STATES DISTRICT COURT